Remarks

Reconsideration of the above referenced application in view of the enclosed amendment and remarks is requested. Claims 4 and 10 have been cancelled. Claims 1, 5, 7, 11 and 13 have been amended. Existing Claims 1-3, 5-9, and 11-15 remain in the application. The Specification has been amended to correct a typographical error in the reference numeral. The appropriate description remains in the Specification, as originally filed. No new matter has been added.

ARGUMENT

The drawings are objected to for failing to comply with 37 C.F.R. 1.84(p)(5) because they include reference signs not mentioned in the description. A request for approval of drawing corrections is submitted concurrently to address this rejection.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,101,528 to Butt (hereinafter, "Butt"). This rejection is respectfully traversed and Claims 1-3, 5-9, and 11-15 are believed allowable as amended based on the following discussion.

The limitations of Claim 4 have been added to Claim 1. The limitations of Claim 10 have been added to Claim 7. Claim 13 has been amended to include limitations similar to Claims 5 and 11.

Generally, Butt teaches a network of computer systems, where each node has client applications that perform server application <u>discovery</u> and is provided with a client discovery service. In contrast, Applicant's claimed invention is directed toward <u>maintaining</u> a link to a node on the network. While Butt teaches client-server discovery of services, Applicant's invention discovers and <u>maintains</u> links to other nodes on the network, including peer nodes. Thus, the server discovery teachings of Butt will not result in Applicant's claimed invention.

With regards to Claims 4, and 10, the limitations of which are now recited in Claims 1, 7 and 15, the Examiner asserts that Butt teaches *automatically checking a link to the node to make sure that the node is still accessible.* However, Butt teaches (at Col. 4, lines 2-7) that a quick scan is typically performed at a subsequent point in time <u>in response to a specific user request</u>.

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[Emphasis added]. Performance in response to a user request is not *automatically* performed, as required by Applicant's claims. Thus, Claims 1, 7 and 15 (as amended) and their progeny are now believed to be allowable.

The Examiner asserts, with respect to Claims 5 and 11 that Butt teaches checking said node at timed intervals (Col. 6, lines 51-53). This assertion is in error. Applicant's claimed invention requires *automatically checking said node at **timed intervals in order to maintain a connected state***. [Emphasis added]. In contrast, Butt teaches a system that repeats a broadcast discovery request for a predetermined number of times. A timed interval is not the same as a predetermined number of times. This broadcast method is performed to reduce traffic on the network while sending discovery packets to servers; it is not performed to maintain a connection with a node. Nor is the broadcast message as taught by Butt equivalent to the keep-alive message as sent by Applicant's invention in order to automatically check the node at timed intervals. Suppose that the predetermined number of times is 5. After a first broadcast, the second broadcast may wait 10 ms. The third broadcast may wait or be delayed 100 ms. The fourth and fifth broadcast may have other dissimilar intervals. Then, if the predetermined number of times has expired, Butt teaches that the broadcast ceases. Thus, a teaching of a "predetermined number of times" does not teach or suggest that the node is checked at a timed interval. If the timed interval is 500 µs, then a delay of approximately 500 µs will occur after each node check. It should be further noted, that Applicant's timed interval may be adaptive. Also, the keep-alive message as recited as Applicant's timed interval message will continue to be sent to maintain the connection. Thus, all claims remaining in the application are now allowable.
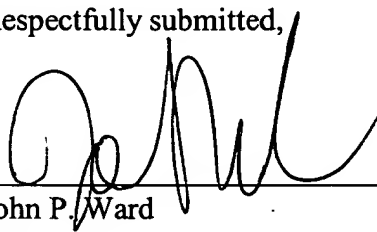
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CONCLUSION

In view of the foregoing, Claims 1-3, 5-9 and 11-15 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact Joni D. Stutman-Horn at (703) 633-6845. Early issuance of Notice of Allowance is respectfully requested. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

Dated: 8/4/04

John P. Ward
Patent Attorney
Registration No. 40,216
(408) 720-8300

Blakely, Sokoloff, Taylor & Zafman,
LLP
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026